



Deployed COR Program



Learning Objectives

Terminal Objectives

Identify Contract Administration Actions Required in a Contingency Contracting Scenario

Enabling Objectives

Point out Contracting Officer's Representative (COR) Duties

Identify Items Required in a COR's file



Understanding the Contingency COR

- **Their Operational Environment**
 - Consider their individual and unit OPS Tempo
- Remember, in this environment COR duties are an ***additional*** duty
- **Have they been trained?**
 - What courses have they had?
 - Do they require unique knowledge for the contract(s) they'll be appointed on?



CCO Pre-Deployment Planning

- Contracts in the AOR
- Need for CORs in the AOR to support contracts
- Training Requirements
- Documentation requirements
- Contracting Officers may designate qualified personnel as their authorized representatives to assist in the technical monitoring and administration of a contract
 - **Letter of Delegation - is CORT being used in theater?**
 - **Have “draft” boilerplate in your kit**

COR Program Related Questions

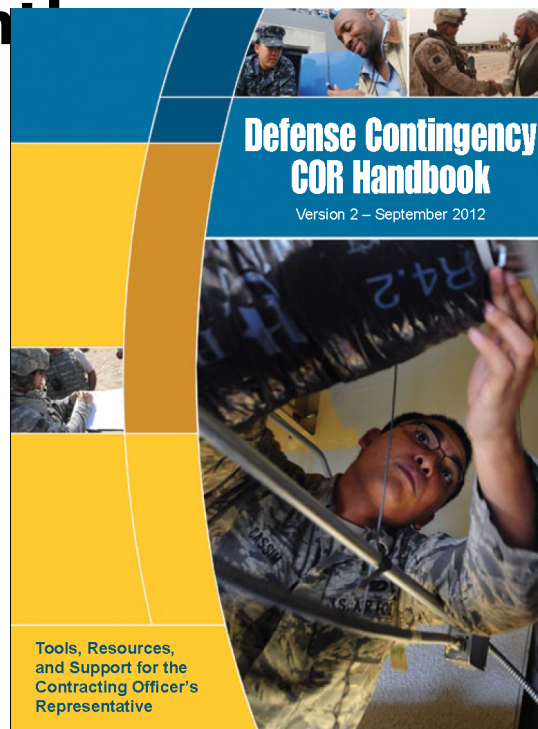
1. What are the pre-deployment COR issues?
2. What are the CCO's responsibilities within the COR program?
3. What are the duties and responsibilities of the COR?
4. C



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Contracts and Orders

- Contractor surveillance is just as important, if not more, in the contingency environment as it is at home station
 - **Well-trained Contracting Officer's Representative (CORs) are critical to effective contract surveillance in the contingency environment**
- Requirement to appoint CORs for awarded contracts and Task/Delivery Orders do not change during a contingency
 - **See guidance at FAR 1.602-2(d), DFARS 201.602-2 and PGI 201.602-2**
- CORs must be designated at the Task/Delivery Order level
 - **One LOD may reference multiple orders**





DoDI 5000.72 - 26 March 2015

Title DoD Standard for Contracting Officer's Representative

OVERVIEW

Mandates:

- Minimum training and experience requirements
- COR Program Coordinator be established
- COR performance be part of annual performance appraisal

Provides:

- Guidance on OGE Form 450 filer determinations
- COR nomination Process
- Guidance on potential COR duties



Department of Defense INSTRUCTION

NUMBER 5000.72
March 26, 2015

USD(AT&L)

SUBJECT: DoD Standard for Contracting Officer's Representative (COR) Certification

References: See Enclosure 1

1. PURPOSE In accordance with the authority in DoD Directive 5134.01 (Reference (a)), this instruction:

- a. Establishes policies and standards, assigns responsibilities, and provides procedures to certify CORs to implement the recommendation of the DoD Panel on Contracting Integrity set out in the 2008 report to Congress (Reference (b)).
- b. Establishes uniform guidance for identification, development, certification, and management of CORs within the DoD.
- c. Implements Deputy Secretary of Defense Memorandum (Reference (c)).
- d. Incorporates and cancels the Under Secretary of Defense for Acquisition, Technology, and Logistics Memorandum (Reference (d)).

2. APPLICABILITY This instruction:

a. Applies to:

(1) OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the "DoD Components").

(2) Contracting officers, personnel with authorities and responsibilities in accordance with subpart 1.602-2 of the Federal Acquisition Regulation (Reference (e)).

Type A

Type A Work Effort

- Low performance-risk, fixed-price requirements without incentives. Attributes of such requirements might include, for example: lack of technical or administrative complexity, no identifiable risk factors, limited requirement for technical expertise, low likelihood of modifications, effort is a follow-on to an existing

Most common requirement "Type" during early stages of a Contingency Operation

are generally limited to minimal technical and/or administrative monitoring of the contract.

Type A Experience and Training Standards

- Experience:
 - 6 months general experience
 - Relevant experience as determined by supervisor and KO
- Training:
 - DAU's CLC 106 (8 hrs on-line)
 - COR or CLC 206 COR in a Contingency Environment
 - Agency Ethics or CLM 003
 - DoD 002 *Combating*

Trafficking in Persons for Acquisition Workforce

Type B

Type B Work Effort

- **Other than low risk requirements. Attributes of such requirements might include, for example: the nature of the work is more complex, effort will be performed in multiple regions or in remote geographic locations, contract contains incentive arrangements or cost sharing provisions, contract is a cost-type or T&M/LH type.**
- **COR duties/responsibilities are of increased complexity.**

Type B Experience and Training Standards

- **Experience:**
 - **12 months general experience**
 - **Relevant experience as determined by supervisor and KO**
- **Training:**
 - **DAU'S COR or CLC 222 course or equivalent (e.g. ALMC)**
 - **COR or CLC 206**
 - **Agency Ethics or CLM 003**
 - **CTIP**

Type C

Type C Work Effort

- Unique contract requirements that necessitate a professional license, technical license or higher education, beyond the type B requirements.
- Such requirements might include, for example: environmental remediation, major weapons systems, medical/dental services, & veterinarian services, etc.
- COR duties/responsibilities involve highly complex or specialized requirements.

Type C Experience and Training Standards

- **Experience:**
 - 12 months general experience
 - Relevant experience as determined by supervisor and KO
- **Training:**
 - DAU'S COR or CLC 222 course or equivalent (e.g. ALMC)
 - CLC 206
 - **Mandatory/Specialized** Training determined by Agency
 - Agency Ethics or CLM



Training the Contingency COR

- Duties, Responsibilities, and Authority
 - Identified in COR Delegation/Appointment Letter
 - **Be contract specific**
 - Refer to DoDI 5000.72 enclosure 6 for list of potential duties
 - PWS/SOW, QASP or Inspection Plan
 - Deliverables and reports
- Cultural Differences
 - Gifts
 - Fraud
- Working with the CCO
 - Communication and rapport is imperative
- Documentation
 - Reinforce to the COR the need to “**document, document, document**”

Surveillance Challenges

- Contract/contractor surveillance under contingency conditions may be particularly difficult due to:
 - **On-going military operations**
 - **Threat/Force Protection conditions**
 - **Remote geographic locations**
 - **Broad customer base (multiple service or Agencies, coalition partners, etc.)**
 - **Accelerated performance/delivery requirements**
- It's imperative to establish properly trained cadre of COs within the major customer organizations you support.
 - **limited infrastructure, transportation and communication capabilities**
 - Identifying and training prior to deployment could be a force-multiplier to the contingency contracting mission





Cultural Differences

- When deployed: educate/remind CORs of local, common business practices.
 - Be aware if culture promotes bribes, gratuities, exchanges of gifts, etc.
 - Duty to explain to contractors that the US military does not conduct business in this manner
 - Notify the KO and/or superiors when bribe, gratuity, gift etc. is attempted as a means of doing business
 - Document (memorandum for record) instances of these behaviors or business practices that transpire
- Remind CORs that Legal (Staff Judge Advocate)

***Note** – Gifts from foreign contractors do not fall under DoD 5500.7-R - Joint Ethics Regulation or DoDD 1005.13 - Gifts and Decorations from Foreign Governments



Ethical Dilemmas

- CORs are subject to the same ethical standards as KOs
- Remind them that a contingency environment will often increase the probability of ethical challenges
- Examples include:
 - Bribes or gratuities offered in exchange for contract awards
 - Collusion among the vendor base
 - Supported organizations attempting to exert undue influence over contract awards
 - Host Nations attempting to exert undue influence

Perception is reality - explain the need for CORs to avoid even the appearance of impropriety



COR Duties - Overview

Remind CORs they are provided the following guidance in COR training

COR Duties	COR No No's
• Know the contract • Know contingency operational environment • Be aware of cultural issues • Communicate with KO • Work with your contractors • Provide technical direction and guidance • Technical liaison between KO and contractor • Recommend changes when needed • Monitor and evaluate performance • Ensures satisfactory, timely, delivery within financial constraints of the contract	• Promise or authorize more work – <i>Unauthorized Commitment</i> • Get involved with subcontractors* • Modify the contract • Disclose source selection information • Divulge budget information



CCO and COR Relations

- Teamwork
 - **Partnering** between you and the COR is critical for success
 - **Communication** is essential !!!
- Ensure COR understands the technical portion of the contract
 - Take the time to educate them on the SOW and QASP (if applicable)
 - Especially if the COR was not involved in drafting the requirements (PR Package)



One-on-One COR Orientation

As part of your “**one-on-one**” training with the COR, go over the following:

- Contract Type (are there incentives)
- Statement of Work or Performance Work Statement
- Quality Assurance Surveillance Plan
- Surveillance logs - Inspection records
- Payment Schedule
 - Contract discrepancy reports
 - Schedules
 - Deliverables
- Memorandums
- Government property and equipment and
- Any security requirements

SOLICITATION, OFFER AND AWARD		1. THIS CONTRACT IS A RATED ORDER		PAGES		OF	
2. CONTRACT NUMBER		3. SOLICITATION NUMBER		4. TYPE OF SOLICITATION		5. DATE ISSUED	
DAU456-02-C-0004		DAU456-01-R-0025		☐ SEALED BID (PFI) ☒ NEGOTIATED (RFP)		11/15/2002	
6. REQUESTION/PURCHASE NUMBER		7. ISSUED BY		8. ADDRESS OFFER TO (if other than item 3)		9. REQUESTION/PURCHASE NUMBER	
DAU456MPR001		CODE [D1234]				DAU456MPR001	
DoD - Defense Acquisition University FI, Belvoir, VA 22060-5565							
NOTE: In sealed bid solicitations "offer" and "officer" mean "bid" and "tender".							
SOLICITATION							
9. Sealed offers in original and seven (7) copies for furnishing the supplies or services in the Schedule will be received at the place specified in item 5, if not hand carried, in the depository located in Building 270 room 4 until 1700 local time 09/15/2002.							
CAUTION - Late Submissions, Modifications, and Withdrawals: See Section L, Provision No. 52.214-7 or 52.215-1. All offers are subject to all terms and conditions.							
10. FOR INFORMATION: CALL		11. TELEPHONE AND COLLECT CALLS		12. E-MAIL ADDRESS		13. E-MAIL ADDRESS	
Max N. Durand, Contract Specialist		AREA CODE 703 NUMBER 805 EXT 2252		max.durand@dod.mil			
14. TABLE OF CONTENTS							
(X)	SEC	DESCRIPTION	(X)	SEC	DESCRIPTION	(X)	SEC
X	A	SOLICITATION/CONTRACT FORM	X	I	CONTRACT CLAUSES		
X	B	SUPPLIES OR SERVICES AND PRICES/COSTS	X	J	LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH		
X	C	DESCRIPTION/SPEC. WORK STATEMENT	X	K	LIST OF ATTACHMENTS		
X	D	PACKAGING AND MARKING		L	INSTRS., CONDS. AND NOTICES TO OFFERORS		
X	E	INSPECTION AND ACCEPTANCE		M	EVALUATION FACTORS FOR AWARD		
X	F	DELIVERIES OR PERFORMANCE					
X	G	CONTRACT ADMINISTRATION DATA					
X	H	SPECIAL CONTRACT REQUIREMENTS					
OFFER (Must be fully completed by offeror)							
NOTE: Item 12 does not apply if the solicitation includes the provisions at 52.214-16, Minimum Bid Acceptance Period.							
12. In compliance with the above, the undersigned agrees, if this offer is accepted within 120 calendar days (60 calendar days unless a different period is inserted by the offeror from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the set opposite each item, delivered at the designated points, within the time specified in the schedule.							
13. DISCOUNT FOR PROMPT PAYMENT							
13A. DISCOUNT (%)		13B. CALENDAR DAYS (%)		13C. CALENDAR DAYS (%)		13D. CALENDAR DAYS (%)	
5		5		5		5	
14. ACKNOWLEDGMENT OF AMENDMENTS							
(The offer acknowledges receipt of amendments to the solicitation in offers and related documents numbered and dated:)							
AMENDMENT NO.		DATE		AMENDMENT NO.		DATE	
0001		09/28/2002		0002		07/02/2002	
15A. NAME AND ADDRESS OF OFFEROR		15B. FACILITY		15C. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER		15D. OFFER DATE	
ACME UAV's, Inc. 2 Contract Award Ave Anytown, USA, 00000				Ms. Jane Albright		09/14/2002	
16. TELEPHONE NUMBER		16A. INC. CHECK IF REMITTANCE ADDRESS IS DIFFERENT FROM ABOVE - ENTER SUCH ADDRESS IN SCHEDULE		17. SIGNATURE		18. OFFER DATE	
AREA CODE 123 NUMBER 456 EXT 7890		☐		[Signature]		09/14/2002	
19. AWARD (To be completed by Government)							
20. AMOUNT		21. ACCOUNTING AND APPROPRIATION		22. PAYMENT WILL BE MADE BY		23. ITEM	
8,703,060.00		See Section G		DFAS COLUMBUS CENTER - 140337		See Section G	
24. ADMINISTERED BY (if other than item 7)		25. PAYMENT WILL BE MADE BY		26. PAYMENT WILL BE MADE BY		27. UNITED STATES OF AMERICA	
DCMA PHILADELPHIA 700 ROBBINS AVENUE, BLDG. 4-A, P.O. BOX 11427 PHILADELPHIA, PA 19111-042		28. PAYMENT WILL BE MADE BY		29. PAYMENT WILL BE MADE BY		30. AWARD DATE	
		DFAS COLUMBUS CENTER - 140337		DFAS-COINORTH ENTITLEMENT OPERATIONS P.O. BOX 182266, COLUMBUS, OH 43218-2266			
31. NAME OF CONTRACTING OFFICER (Type or print)		32. UNITED STATES OF AMERICA		33. SIGNATURE OF CONTRACTING OFFICER		34. AWARD DATE	
				[Signature]			
1.1 Teacher							
IMPORTANT: Award will be made on this Form, or on Standard Form 28, or by other authorized official written notice.							
AUTHORIZED FOR LOCAL REPRODUCTION							
Previous edition is obsolete							
STANDARD FORM 33 (REV. 8-97)							
Prescribed by GSA - (48 CFR) 53.214 (c)							



COR Files - Refresher

CORs should be instructed to maintain the following in their COR File:

ADMINISTRATIVE and PAYMENT	DELEGATED RESPONSIBILITY RELATED
• Copy of COR nomination and appointment letter • Copy of contract with all modifications • Contractor information • Copy of contract schedule showing all required delivery dates • Name, title, phone #, and function of Government personnel working on contract • Copies of contractor submittals • Inspection results	• Copies of all correspondence with the Contractor, KO, or other Government officials • Site and security issue documentation • Description of contractor performance and provisional deficiencies and steps taken to correct poor performance • Record of contractor performance evaluation at the end of the contract • Any additional supporting



Contingency COR Lessons Learned

- Best if CORs receive training prior to arrival
 - Even if last second replacement
- Not understanding the equipment, supplies, or services being procured under the contract/order
- Not understanding government property and equipment issues
 - Leased equipment – considered U.S. property for accountability purposes and disposition instructions
- CORs needed constant reminders only the contracting officer authorized to make changes
- Difficult nature of Construction contracts in the contingency environment

NOTE: Ensure CORs report through Contracting Office as part of “out-processing” or re-deployment process!!

***Learn. Perform.
Succeed.***



Summary

- Pre Deployment Planning
- Training the COR
 - COR Duties, Responsibilities, and Authorities
 - Cultural Differences
 - Fraud and Ethical Behavior
 - Contract Specific Training
- COR File and Documentation Refresher
- Relationship and Communication with CORs